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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)
9 Plaintiff,)
10 v.) 2:10-CR-514-LDG (RJJ)
11 BRIAN KENNETH KINGSTON,)
12 Defendant.)

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on March 11, 2011, defendant BRIAN KENNETH KINGSTON pled
15 guilty to Counts One and Two of a Two-Count Criminal Indictment charging him in Count One with
16 Felon in Possession of a Firearm, in violation of Title 18, United States Code, Sections 922(g)(1) and
17 924(a)(2); and in Count Two with Felon in Possession of Ammunition, in violation of Title 18, United
18 States Code, Sections 922(g)(1) and 924(a)(2).

19 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of
20 America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the
21 Criminal Indictment and the offense to which defendant BRIAN KENNETH KINGSTON pled guilty.

22 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
23 924(d)(1) and Title 28, United States Code, Section 2461(c):

24 a. Smith & Wesson .44 Magnum revolver, serial number CFN4246;
25 b. any and all ammunition, including but not limited to, fifty (50) Winchester .44
26 Magnum bullets; and

c. a Black Hawk firearm holster ("property").

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of BRIAN KENNETH KINGSTON in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the following address at the time of filing:

Michael A. Humphreys
Assistant United States Attorney
Daniel D. Hollingsworth
Assistant United States Attorney
Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
3 following publication of notice of seizure and intent to administratively forfeit the above-described
4 property.

5 DATED this 18 day of Mar, 2011.

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UNITED STATES DISTRICT JUDGE